

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

WILLIAM-RAYEH WATLEY,

Plaintiff,

v.

Case No. 23-cv-10831
Hon. Matthew F. Leitman

GRETCHEN WHITMER, et al.,

Defendant.

/

**ORDER VACATING ORDER OF REFERENCE (ECF NO. 12),
SUMMARILY DISMISSING ACTION, AND TERMINATING
PENDING MOTIONS AS MOOT**

Plaintiff William Rayeh Watley, proceeding pro se, filed this action on April 11, 2023. (*See* Compl., ECF No. 1.) When he filed the action, he also sought permission to proceed in forma pauperis. (*See* Appl., ECF No. 2.) The Court entered an order granting Watley leave to proceed in forma pauperis (*see* Order, ECF No. 5), and the Court referred the action to Magistrate Judge Altman to conduct all pretrial proceedings. (*See* Order, ECF No. 12.)

Due to an oversight, the Court did not conduct the initial screening required by 28 U.S.C. §1915(e)(2)(B), when the Court granted leave to proceed in forma pauperis. The Court has now conducted that screening and concludes that the action must be dismissed because the claims asserted are frivolous.

The screening statute, 28 U.S.C. §1915(e)(2)(B), provides that a district court “shall dismiss the case” if: (A) the allegation of poverty is untrue; or (B) the action or appeal— (i) is frivolous or malicious; (ii) fails to state a claim on which relief may be granted; or (iii) seeks monetary relief against a defendant who is immune from such relief. A complaint may be deemed frivolous “where it lacks an arguable basis either in law or in fact.” *Neitzke v. Williams*, 490 U.S. 319, 325 (1989).

Here, Watley’s claims lack an arguable basis in law. He seems to base his claims on (1) a letter threatening to evict him from private property located in the City of Detroit and/or (2) the actual eviction of himself and others from the property. He asserts that the threat of eviction and/or the eviction violated the “Emergency Banking Act of 1933 and the Act to Suspend the Gold Clause,” among other federal laws. He further seems to suggest that the property in question was a “newly established Moroccan Consulate.” (Compl., ECF No. 1, PageID.5.) He brings his claims against a wide variety of defendants, including the current Governor of Michigan, a Wayne County Circuit Court Judge, and the Wayne County Sheriff.

Watley does not plead any facts suggesting that any of the named defendants violated any federal law in any way or that he has any right to relief whatsoever. Accordingly, the Court concludes that his claims are frivolous and must be dismissed. This is the same course of action taken by Judge Terrence G. Berg in a

similar action that Watley recently filed in this Court. *See* Order of Dismissal, ECF No. 4 in *Watley v. Kenny*, 22-11392.

Accordingly, for the reasons explained above, **IT IS HEREBY ORDERED THAT:**

1. The Court's prior order of referral to Magistrate Judge Altman is
VACATED;
2. This action is **DISMISSED WITHOUT PREJUDICE;**
3. All pending motions are **TERMINATED AS MOOT**

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: June 15, 2023

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on June 15, 2023, by electronic means and/or ordinary mail.

s/Holly A. Ryan
Case Manager
(313) 234-5126